

REMARKS/ARGUMENTS

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Loeser in view of Rosen. It is respectfully submitted that claim 1 as amended patentably distinguishes over the rejection of record. Loeser discloses a proportioning system having four pumps (5, 6, 7 and 8) for dispensing. While pumps 7 and 8 are referred to as positive displacement volumetric metering pumps, there is no disclosure that such are reciprocating piston pumps as claimed. In fact, Loeser discloses that pumps 7 and 8 merely meter and do not impart appreciable pressure to the fluid (col. 2, lines 25-33). In fact the pressure for the system is provided by pressure pumps 5 and 6 (col. 2, lines 23-30). Applicants' invention provides precise metering and pumping using only one pump per material and with only one motor as opposed to Loeser's three power supplies - air to each pressure pump 5 and 6 and electricity to motor M.

Rosen merely discloses one motor driving pumps off either end of a generic motor. Rosen does not disclose pressure comparison or any of the other claimed limitations nor is there any suggestion as to how or why one might combine the two references other than Applicants' disclosure. Neither patent discloses a user-selectable setpoint as claimed with Loeser merely referring to a predetermined pressure. Given the lack of any disclosure as to how one might vary this, one skilled in the art can only presume that such is set at the factory.

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Loeser in view of Rosen and Bailey. The comments set forth above with respect to claim 1 apply equally to claim 2. In addition, Bailey shows that the alarm language cited refers to negative pressure, the concern being outgassing (col. 7, lines 34-44). Applicants are concerned with positive pressure for a very

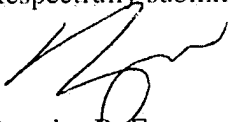
Appl.No. 10/533,329
Amdt.dated Jan. 30, 2008
Reply to Office action of October 31, 2007

different reason. Thus, there would be no reason for one skilled in the art at the time the invention was made to combine Bailey with the other references.

Applicants have produced an electric plural component proportioner for the mixing of fast setting materials which require precise control of both ratio and pressure using many commonly available parts traditionally produced in volume for use in airless paint sprayers resulting in a unit which is relatively inexpensive and yet which performs at a level above its price point. The assignee of the instant invention has sold over \$40 million of proportioners constructed according to the claimed invention, clear evidence of commercial success and lack of obviousness.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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